

FILED - USDC -NH
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UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Josephine Amatucci

v.

Estes,, Champaigne, Morgan, Wolfeboro NH , Town of ,

Dean Rondeau, Wright and Robert Maloney

Case.....1:18:mc-00038-JL

FURTHER RESPONSE TO THE COURTS ENDORSED ORDER OF 6/12/2024

1. Judge Joseph LaPlante stated in his Endorsed Order:

" in order for the Plaintiff to initiate a new lawsuit she would have to consider whether it violates any of the filing....." RESTRICTIONS"..... applicable to Amatucci's ability to file new lawsuits in this court. Whether the claims asserted in the Proposed Complaint arise out of the events underlying the 2018 and 2023 FILING RESTRICTIONSand where the claims asserted in the new proposed complaint arise out of the events underlying the 2018 and 2023 "FILING RESTRICTIONS"stating,

"Nothing in the proposed complaint warrants revisiting the "FILING RESTRICTIONS" OR THE EVENTS they concern, therefore the Court denies to docket the new lawsuit."

However, this statement by the Court is the shocking and intolerable and continuing mistreatment of the Plaintiff's Federal Constitutional Civil Rights claims in all of the cases before this court. When the court in a continuing course of conduct ignores the Plaintiff's Federal Constitutional claims and TRIES to dismiss her cases based on bad faith decisions of the judges, in the courts refusal to interpret and apply the Plaintiff's Federal Constitutional rights in her cases, when she is deprived of a realistic assessment of her cases, when this court ignores the Federal Constitutional arguments in her cases, in a continuing conduct.

2. That in none of the Plaintiff's cases before this court, did the Court address,

adjudicate , or ruled on her claims of the violations of her Federal Constitutional Civil Rights by the defendants. That the Court simply based their rulings on the procedures of the Court, which are based on the administrative prejudice's of the judges. Not on the LAW OF THE LAND. Not under Due Process of the Federal Constitution.

That this case is based solely on an unlawful malicious prosecution by the defendants who falsely accused the Plaintiff of causing an Assault with Bodily Injury, when before the defendants and the Court was a statement by the alleged victim of the alleged Assault, a Mr. Robert Maloney, who stated that..... "HE HAD NO INJURY". Therefore, no injury, no Prosecution for committing an Assault with Bodily Injury. A case of a Malicious Prosecution.

.....

3. Article Six of the United States Constitution, states:

"Where rights SECURED BY THE CONSTITUTION are involved, there can be no RULE making (filing restriction) or LEGISLATION which would/could abrogate them".

Therefore, the Courts filing restriction rules cannot form the basis of the Court refusing this violation of the Plaintiff's FEDERAL CIVIL RIGHT.

4. Under the case of Norton v. Shelby County, the court stated:

"An unconstitutional Act is NOT LAW. It confers no rights, it imposes no duties, affords no protection, it creates no office, it is inoperative as though it had NEVER BEEN PASSED".

5. Under Miranda v. Arizona, the SUPREME COURT stated,

"Where Rights SECURED by the CONSTITUTION are involved, there can be NO RULE MAKING OR LEGISLATION WHICH WOULD ABROGATE THEM."

6. Therefore where the claim of an unlawful Malicious Prosecution by the Defendants, in this case, was a violation of Due Process and of the Fourteenth Amendment, and a Fourth Amendment violation, NO FILINGRESTRICTION.... of the Court could /wouldABROGATE them.

.....

7. Under a Federal Law that is Clearly Established, violates the Due Process Clause. A Clearly Established Right is any Federal Constitutional violation. That it is sufficiently clear that the defendants would understand that what they were doing violates that right. That in light of pre-existing law the unlawfulness of the Malicious Prosecution is apparent with the evidence. Where the alleged victim himself stated he had NO INJURY, yet the Plaintiff was

being prosecuted for causing Bodily Injury.

8. This judge believes he can deprive me of a realistic assessment of my case, by REFUSING TO LITIGATE the Federal Constitutional Claims, under a under 1983. where he is in violation of her Civil Rights which protects citizens from unfair and unjust legal proceedings.

9. And were the issues raised by the Plaintiff's were Federal Constitutional Claims and where they were never litigated and determined by the Court, there is NO PRECLUSIVE EFFECT. As the Court stated in the case ofAllen v. McCurry:

"Under 1983 every person assertinga FEDERAL RIGHTis entitled to the opportunity to litigate that right in a FEDERAL DISTRICT COURT".

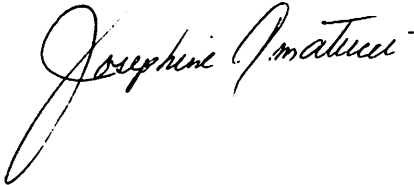
Now either Judge Laplante moves this case immediately before a jury of her peers, for damages as allowed under 1983, or he is MANDATED, under the law, to step down, where another judge will move this case before a jury for the violations of the Plaintiff's CIVIL RIGHTS.

Respectfully,

Josephine Amatucci

August 15, 2024

c. Town of Wolfeboro and Sheriff's Dept.

A handwritten signature in cursive script that reads "Josephine Amatucci". The signature is written in black ink and is positioned below the typed name.

MANCHESTER NH 030

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Josephine Amatucci

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